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A

PATENT APPLICATION TRANSMITTAL LETTER
(Small Entity)

Docket No.
DDx1 3

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Transmitted herewith for filing under 35 U.S.C. 111 and 37 C.F.R. 1.53 is the patent application of:

Claycomb et al.

For: **ELECTRONIC ESTRUS DETECTION DEVICE**

Enclosed are:

- ☒ Certificate of Mailing with Express Mail Mailing Label No. **EJ798026193US**
- ☒ ~~ten (10)~~ **eleven (11)** sheets of drawings.
- ☐ A certified copy of a _____ application.
- ☒ Declaration ☐ Signed. ☒ Unsigned.
- ☒ Power of Attorney
- ☐ Information Disclosure Statement
- ☐ Preliminary Amendment
- ☒ **one (1)** Verified Statement(s) to Establish Small Entity Status Under 37 C.F.R. 1.9 and 1.27.
- ☐ Other:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	11	- 20 =	0	x \$9.00	\$0.00
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Dated: **22 Dec 99**

Julie L. Bernard
Signature

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CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Claycomb et al.

Docket No.

DDx13

Serial No.

Filing Date

22 Dec 99

Examiner

Group Art Unit

Invention: **ELECTRONIC ESTRUS DETECTION DEVICE**jc525 U.S. PTO
09/470116

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I hereby certify that this **patent application and accompanying documents as recited***(Identify type of correspondence)*

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20231-0001 on **22 Dec 99***(Date)***Julie L. Bernard***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EJ7980261 93615***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN			Docket No. DDx13
Serial No.	Filing Date 22 Dec 99	Patent No.	Issue Date
Applicant/ Claycomb et al. Patentee:			
Invention: ELECTRONIC ESTRUS DETECTION DEVICE			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: DDx, Inc.</p> <p>ADDRESS OF CONCERN: 7000 Broadway, #3-305, Denver, Colorado 80221</p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input checked="" type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

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Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Michael R. McClurg

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

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7000 Broadway, #3-305Denver, Colorado 80221

SIGNATURE:



DATE:

12/22/99

ELECTRONIC ESTRUS DETECTION DEVICE

RELATED APPLICATIONS

This application claims priority to provisional patent application USSN 60/113,202, filed 22 December 1998. The earlier filing date of this application is hereby claimed.

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FIELD OF THE INVENTION

The present invention relates to the general field of estrus detection, and more specifically, to an electronic device for attachment to the posterior of a cow that counts and times mounts by other cows. This application, thus, describes an electronic device useful for determination of estrus, said device enabling, for example, an artificial insemination technician to appropriately determine the optimum time of insemination and/or breeding, thereby increasing number of pregnancies and reducing the number of open cows, and in turn, increasing milk and/or meat production.

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BACKGROUND AND PRIOR ART

Animal husbandry technique advancement, including for example, computerized genetic selection and/or tracking and artificial insemination (AI) allows both dairy farmers and beef producers to optimize genetically linked cattle characteristics through breeding programs. Such characteristics may include, for example, udder size and placement, animal size, milk or meat productivity and disease resistance. The goal of a breeding program, whether it employs live cover or artificial insemination, is to develop and further certain characteristics of a herd. For example, dairy farmers select to increase and maximize the milk production of each and every cow in their herd. To do so, it is necessary to minimize

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the number of days open between pregnancies by impregnating a cow as soon as possible after calving.

Successful breeding programs must incorporate efficient and accurate detection of estrus and timely breeding. Estrus detection may be the most common and costly failure of breeding programs. Inefficient detection of estrus results in lost lifetime milk yield in dairy cows, decreased number of calves born per lifetime, excessive days open, and increased reproductive culling (Walker et al. (1996) *J. Dairy Sci.* 79:1555). Requirements for an “ideal” system for estrus detection have been listed as: 24-hour continuous surveillance, accurate and automatic identification of cows in estrus, operational for the productive life of the cow, reduced or eliminated labor requirements, and highly accurate identification of behavioral estrus events that correlate with ovulation (Senger (1994) *J. Dairy Sci.* 77:2745). Historically, the object of such a system has been to detect the first mount of standing estrus -- the true onset of estrus.

Behavioral indicators of cattle estrus include, for example, increased physical activity and mobility, increased vocalizations and certain mounting behaviors. During estrus there is an increased frequency of mounting of other cattle by the animal in heat. Also, cows in heat will allow themselves to be mounted and remain mounted by other cows. This mating behavior -- standing to be mounted -- is particularly relevant to the instant invention. A standing heat, a prolonged mounted standing posture is maintained only during estrus cycle.

A cow's estrus cycle is approximately 21 days. Therefore, a cow comes into heat approximately every 21 days and remains in heat for approximately 10-12 hours. Approximately 14 hours thereafter, the cow ovulates. Time of ovulation is a relatively fixed

reproductive event, taking place within approximately 40 hours of onset of estrus (Walker et al., *Supra*). The optimum time for breeding, either live cover or artificial insemination; to achieve pregnancy is between 4 and 12 hours after the onset of estrus. Further, conception rates are highest for cows that are bred from 4 to 14 hours following the first standing event of estrus. The probability of pregnancy is also affected by standing events per estrus. Specifically, cows exhibiting less than 3 standing events prior to insemination have 41% lower odds of pregnancy than cows inseminated following greater than or equal to 3 standing events (Dransfield et al. (1998) *J. Dairy Sci.* 81:1874). Simple mathematical calculations may be performed to determine optimum breeding time if the onset of estrus is known. Also, a known time of ovulation in reference to the first mount of estrus and being able to identify the first mount allows for accurate timing of breeding (Walker et al., *Supra*); more accurate timing relative to estrus detection based on visual observation of estrus. If the onset of estrus is unknown, insemination should be performed within 4 to 12 hours of observation of estrus (Dransfield et al., *Supra*). Based on a 280-day pregnancy, after which calving occurs, it is necessary to impregnate that cow within 45-60 days after calving to optimize production. Therefore, accurate and optimal breeding times must be determined to prevent economic loss, currently estimated at more than \$300 million annually to the US dairy industry because of failure to detect estrus (Senger, *Supra*). Hence, a preferred system must determine estrus based on a threshold of 3 mounts in 4 hours, so that insemination may be performed in a timely manner. That is, at an optimal point in time.

The prior art discloses several different types of estrus detection, both electronic and manual. Relevant prior art includes U.S. Patent nos. 4,895,165, 3,844,273, 5,111,799 and

4,635,5876. However, prior attempts at detection of estrus in cattle have proven unsatisfactory. In U.S. Patent no. 4,895,165 to Blair, entitled ELECTRONIC ESTRUS DETECTOR, an affixable electronic estrus detector that stores and displays the number of mounts by another cow as determined by a force responsive switch is disclosed. Said
5 detector may measure increments of mounts or may be modified to indicate estrus based on a mount-second index. Either embodiment is a counting device requiring manual daily checks of each detector, and thus, close proximity observation of each cow.

A METHOD AND APPARATUS FOR ANIMAL HEAT DETECTION AND RECORDING is disclosed in U.S. Patent no. 3,844,273 to Polson. An electronic apparatus,
10 specifically a transmitter, is attached to a female animal. The transmitter is activated by mounting activity, and in turn, transmits a signal to a receiver, fixed or mobile. The apparatus further provides a timer that is concurrently activated and records the passage of time.

Next, A fully automated, surgically implantable device for estrus detection is
15 disclosed in U.S. Patent No. 5,111,799 to Senger *et al.*, entitled ESTROUS DETECTION SYSTEMS. A force responsive sensor provides data regarding mounting behavior and standing heat mount occurrence during a fixed period that are compared to a threshold, thereby determining estrus. Upon determination, a signal is broadcast to a receiver, allowing the herdsman to breed or inseminate based thereon. This device precludes the necessity of
20 daily, direct animal observation through the use of a computer system and telemetric signals. However, implanted devices, subcutaneous or otherwise, present a number of issues, for example, surgical implantation of the device itself, retrieval of a failed device, retrieval of

devices from culled animals, infection at the implantation site and rejection of the device.

Finally, Leonardo (U.S. Patent no. 4,635,587, METHOD AND APPARATUS FOR DETECTING STANDING HEAT IN CATTLE) discloses an electronic module, including a readout display and indicators connected to a membrane switch actuated by mounting
5 activity. Said module is housed in a sleeve that is adhered to the tail-base of a cow. When mounted, the switch actuates the timer and indicators. In one embodiment, the display flashes, indicating estrus. Said device detects the onset of estrus.

Despite these attempts to detect estrus, none of the prior art satisfactorily solves the problem of how to reliably and efficiently detect estrus and/or the optimal breeding time.

10 Shortcomings found in the prior art include, for example, the detection of the onset of estrus rather than detection of estrus, the necessity of surgical procedures, and the necessity of complex and/or computer-based systems. For these reasons, as well as others, visual observation of cow behavior and fully automated cow monitoring systems continue to be the primary techniques used for estrus determination in cattle. However, only 50% of the cows
15 displaying behavior indications of estrus are detected by visual monitoring. Close to 100% accuracy may be achieved with a fully automated and computerized system, such as HeatWatch® (U.S. Patent no. 5,542,431 specifically incorporated herein by reference, DDx, Inc., Denver, Colorado). Such fully automated cow monitoring systems are expensive and inappropriate for use with, for example, small herds. The present invention overcomes these
20 drawbacks, fulfilling the need for accurate and economical estrus detection, by integral incorporation of a water-resistant, self-contained, battery operated, estrus detection device for determination of estrus that is affixed to the tail-head area of a cow; said device indicating

least one indicating means. More specifically, the electronic means includes an internal controller chip, a power source, a pressure sensitive switch, and at least one visible indicator display. It may further include a read data switch and a digital display; said device is programmed to be capable of applying an algorithm to actual mounting data and detecting estrus and determining optimal breeding time based thereon. In one embodiment, the controller means is a microprocessor, the power means includes at least one battery, the activation means is a force activated switch and the indicating means includes at least one LED. The electronic means of the estrus detection device detects mounting activity, actuating the processing means according to preprogrammed thresholds and visibly indicates satisfaction of said thresholds.

The device is affixed to the tailhead area of a cow, for example, within a patch intended for such use, via a tail-wrap or tail sheath assembly adapted for device retention or combinations thereof. The pressure sensitive switch is, thus, positioned such that mounting activity actuates the switch that in turn actuates an incremented counter, count up function timer, data processor and visible display.

The assembly or housing of the instant invention is highly suitable for the above-stated purposes as it is made from any number of plastic, or the like, material, for example, ABS plastic, polypropylene or polycarbonate. It is sealable for water resistance and has adjustable and/or replaceable parts. While prior art is suitable for some aspects of estrus and estrus onset detection, none of the prior art employs an algorithm or the like within a simple electronic device for determination of estrus, and thus, does not provide the breeding or insemination accuracy necessary for productivity, and in turn, profit. The instant invention is

a simple, reliable, self-contained electronic device for estrus detection that employs an algorithm to determine optimal insemination time.

The present invention, when practiced as disclosed herein, accurately detects estrus and optimal breeding time and indicates same via simple observation of the device. Said device is applicable to all non-human animals displaying estrus cycle and mounting related activities. The instant invention, thus, is useful in dairy and beef cattle estrus detection, but is not intended to be limited thereto.

In broad terms, the instant device is a self-contained, battery operated device that determines estrus and optimal breeding time based on an algorithm for accurate estrus detection and displays visible signals indicative of the same.

In a preferred embodiment, the electronic device is encased and sealed in a clear housing facilitating water resistance and optimal visible signal observation from a variety of angles or vantage points. In an alternate embodiment, the power source portion of the device is encased in its own sealed housing adapted to functionally integrate with the remainder of the device, thereby facilitating part removal and/or replacement.

A number of salient features of the present invention are readily recognized. An electronic estrus detection device is provided that obtains mounting activity related data and may incorporate other relevant factors in making optimum breeding time determinations and indications. The present system is capable of computer hardware and/or software integration for data storage, however such function is in addition to the primary function of optimum breeding time determination.

All embodiments of the instant invention include the same general methodologies,

objects and elements; an electronic estrus detection device including a housing in which electronic components for estrus detection are housed. More specifically, such electronic components may include an internal controller chip, a power source, a pressure sensitive switch, a read data switch, a digital display and a visible indicator or a plurality of visible indicators substituted therefor, all of which are encased in a hermetically sealed housing and may further comprise other customizing features and specifications, for example, integrated motion sensors or alternate data analysis/presentation elements. Other features and advantages of the present invention will become apparent from the following detailed description, taken in conjunction with the accompanying figures, which illustrate by way of example, the principles of the instant invention.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a top view of a preferred embodiment of the estrus detection device of the instant invention.

Figure 2 is a top view of another preferred embodiment of the estrus detection device of the instant invention.

Figure 3 is a block diagram representation of the circuitry of the preferred electronics of the instant invention.

Figure 4 illustrates diagrammatically the estrus determination algorithm and optimal

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Figure 9 is a schematic of the printed circuit board layout of the second preferred

embodiment of the device.

Figure 10 is a perspective view of another alternate preferred embodiment of the estrus detection device of the instant device.

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Figure 11 is a perspective view of integral combination of the base portion, internal electronics and cover portion of the instant device.

DETAILED DESCRIPTION

10 It is to be understood that both the foregoing general description and the following detailed description are exemplary and explanatory only and are not restrictive of the invention as claimed.

The present invention provides an electronic estrus detection device useful for optimal timing of insemination in cattle by determination and counting of mounting activity
15 related to the estrus cycle. It is recognized by those skilled in the art that a broad range of estrus detection devices may be practiced in accordance with the presently disclosed invention.

Moving to Figure 1, shown is a detailed external, top view of first preferred embodiment. A generally rectangular box shaped detection device **5**. Said device provides
20 six generally rectangular surfaces (see Figure 5); a lower surface that rests generally horizontally against the tail head area of a cow, an opposite facing upper surface upon which a pressure sensitive switch and digital display are located, four generally vertical surfaces

connecting and defining the perimeters of each of the lower and upper surfaces one of which houses a recessed read data switch **30** and another of which houses at least one visible display means.

Another preferred embodiment's detailed external, top view of a generally rectangular box shaped detection device **5**, as shown in Figure 2, provides a pressure sensitive switch **15** and a recessed read/reset switch **30** on the upper surface. Said device carrying the same general shape as the first embodiment, see Figure 6.

Yet another preferred, simple-to-use, embodiment (shown in Figure 10) in which 3 display LEDs **20** are employed. One LED **20** is activated upon commencement of mounting activity; the next LED **20** is activated when qualified mounting activity occurs. That activity which is determined to meet the device's predetermined and preset thresholds, e.g., 3 mounts in 4 hours. The last LED **20** is activated when the animal is within the range of time for breeding, thus, indicating to the herdsman to breed the animal at the next opportunity.

The details of the basic structure of the preferred embodiment of the invention include two major portions: the housing **10** and the electronic components **13** housed therein. The injection molded housing **10** is constructed of plastic or like material, preferably transparent, comprising a base portion **11** and cover portion **12**, Figures 5a and 6a. The base portion **11** is a planar, generally rectangular section upon which the electronic circuitry components **13** are mounted. The cover portion **12** is generally concave and of a shape and size that corresponds to the base portion **11** such that via conventional secondary injection molding techniques, it is capable of being hermetically sealed to the base portion **11** and creating a water- and weather-resistant housing **10**. The transparency of the entire housing is not a necessary

defining feature of the invention; a viewing window or windows **14** may be strategically placed in an opaque housing via custom injection molding techniques accepted in the art.

Generally, the base portion **11** of the housing is connectable to the cover portion **12** using, for example, standard injection molding techniques. In connection with holding a power source, e.g., a battery or batteries, in a desired portion relative to the housing **10**, supports may be provided that are attached to, for example, a vertical wall of the housing, which is joined to the base portion **11**. Before the base portion **11** is connected to the cover portion **12** creating a sealed housing **10**, electronic componentry **13**, including a printed circuit board (PCB), which includes the necessary circuitry involved in the instant estrus detection functions, is positioned in the housing. See Figure 11. This circuitry includes a pressure sensitive switch assembly that is activated during a cow mount and is engaged by a switch contact section. Battery connectors are attached to the PCB and provide the electrical connection between the battery and PCB circuit paths in order to supply a power source to the circuitry components **13**. After the electronic portion **13** of the device is fully assembled, the base portion **11** is connected to the cover portion **12** and the device may be placed into the pocket area of a pouch for proper positioning on an animal.

Figure 3 sets out portions of electronic componentry of a preferred embodiment which include a single internal controller chip **40**, a power source **35**, a pressure sensitive switch **15**, a read data switch **30**, a digital display **25** and a visible indicator or a plurality of visible indicators **20**. Both the pressure sensitive switch **15** and the read data switch **30** feed directly into the controller chip **40**, where switch de-bounce and qualification is performed. The controller chip **40** then actuates and operates the digital display **25** and the visible

indicator or the indicators 20. The controller 40 may also directly drive the display 25. Each actuation of the pressure sensitive switch 15 caused by mounting activity sends a signal to an incremented counter. The controller chip 40 debounces the input signal, thereby preventing the recordation of any signal of duration less than a preset threshold, e.g. 3 seconds. In addition to the above components of the device, additional resistors and/or capacitors may be added to the system as necessary. Furthermore, unnecessary or redundant components may be left out of the system.

In a preferred embodiment, the pressure sensitive switch 15 is activated during a mount. Activation of the pressure sensitive switch 15 during a mount causes power from the battery 35 to be applied to the circuitry of the device. In a stand-by mode in which the pressure sensitive switch 15 assembly is not activated, no battery power is being applied to the device circuitry; so that reduced power consumption is achieved, thereby extending the life of the battery. Upon switch closure of greater than a predetermined amount of time, power is applied to a counter that essentially counts pulses related to the time duration of the mount. That is, the counter continues to count pulses beginning with the switch closure until it opens at the end of the mount.

At the same time that the counter is counting to keep track of the heat mount duration, a timer circuit is also powered on or activated. The timer circuit includes power down delay circuitry that is used in maintaining necessary power to the device after the pressure switch has been deactivated. In addition to the duration time, a battery power status unit may be added to the system. The system provided by this unit may be used to inform the user that the battery is low or should be replaced.

In connection with the analysis involving heat mount related data, it may not be necessary to keep track of the complete mount time. That is, each mount that exceeds a predetermined time interval may be given the same significance in the analysis. If the mount continued for than a predetermined time, for example, 5-7 seconds, it may not be necessary to keep track of the mount time of greater duration.

The timer circuit may also include circuitry that compensates for momentary deactivation of the pressure switch during the occurrence of a single mount. During a mount, the force applied by the mounting animal to the pressure switch may momentarily be lost, for example, due to movement or shifting by the mounting cow. This temporary loss of force may cause the electrical contact of the pressure switch to open, leading to discontinuance of the counting by the counter and an inaccurate indication that the mount has been completed. In one embodiment, the timer circuit utilized a threshold related time and, unless this predetermined threshold magnitude of time is exceeded due to deactivation of the pressure switch, the counter continued to count and keeps track of time in accordance with the occurrence of a single mount. That is, instead of the momentary deactivation of the pressure switch causing an indication that the mount has been completed, the timer circuit maintains the counting and the monitoring of the mount time, unless the predetermined threshold of time was exceeded.

In a more preferred embodiment, the hardware circuits and operation thereof in connection with the device are substantially replaced by a programmed microcontroller 40; for example, a microcontroller performs the counting operation to monitor heat mount time. In conjunction with and in addition to analyzing fundamental mount data, i.e., the duration of

heat mounts during the relevant monitored period, the monitoring of additional data and/or other parameters may be programmed into the microcontroller in order to accurately determine the optimum time to breed. Additional data to be monitored may include, for example, ambient temperature, patterns of known activity, number of heat cycles, mount or
5 versus mountee activity, number of animals, age, location, breed and humidity.

The instant device is operated by a power source 35, for example, a button-cell type battery. Such type of battery keeps the profile of the device to a minimum. Further, the life of the device may be adjusted, up or down, by battery selection. Further a plurality of low voltage, button-cell batteries in series may be used to increase power and minimize the
10 device profile. Accordingly, the device as a whole may be considered disposable and employ a battery having a specific life. Alternatively, separately encasing the battery or battery receiving means enables replaceable and/or rechargeable power sources, thereby extending the life of the device.

The preferred device is programmed to apply an algorithm, e.g., 3 mounts in 4 hours
15 of actual mounting activity, to determine estrus and the optimal breeding time. The estrus determination algorithm and optimal insemination timing based thereon are set forth in Figure 4; 3 mounts per 4 hours must be logged before the device's indicator function is actuated. To be actuated by mounting activity, the device must rest strategically on the tail head of a cow. Methods of doing so include, for example, an adhesive patch assembly
20 (Figure 7a), a tail-wrap assembly (Figure 7b), a tail-sheath assembly (Figure 7c) and a combination thereof (Figure 7d), each adapted for retaining the device in proper position. Figure 7d incorporates aspects of each attachment assembly into a single assembly.

Specifically, it incorporates a tail-wrap with at least one patch into the same assembly. It further comprises at least one adjustable shock absorbing connection element. Accordingly, improper positioning prevents mounting activity actuation of the device and failed estrus detection.

5 The bulk of the apparatus is composed of a material that facilitates the necessary rigidity and robust structure to withstand multiple mounting activity, for example, plastics, rubbers or elastomers. The preferred material, ABS plastic, is a chemically stable, heat and cold resistant material that is lightweight, semi-rigid, resilient and sturdy. That is, it is unaffected by such things as extreme temperatures or repeated mounting activities. More specifically, it may be formulated so as not to split, splinter or crack and to possess significant fire retardant properties. Therefore, the assemblies made according to the instant invention last a long time and are completely safe for their intended use.

10 The device disclosed herein is, in use, is semi-permanently affixed to the tail-head area of the animal with assemblies as described *supra*. Figures 7a-d show the estrus detector optimally positioned in the tail-head area of a monitored cow. The detector preferably rests within a protective pouch of an attachment assembly, which may itself be transparent, so as to not obstruct an observer's view of the device. Alternatively, the pouch may be constructed from, for example, nylon, canvas, composite textile or other fabric or combination thereof, and provide a device viewing window.

15 Until mounting behavior activates the pressure sensitive switch **15**, the controller **40** powers down and/or reverts to what is generally considered sleep mode. Upon activation, and after the preprogrammed algorithmic thresholds have been met, a visible indicator **20** or

indicators are activated. The preferred embodiments employ any long life battery, such as, lithium. Long life being defined as a battery having a life of approximately 50 mA-hour or more capacity. For example, the estimated hour capacity of the preferred BR2032 Button Cell battery then is 190 mA-hours. At 25 °C, the described device then has a minimum shelf
5 life of 10 years, and an operating outdoor life of approximately 2.2 years in ambient temperatures ranging from -40 to 85 °C. The operating and shelf lives of the device may be altered based on, for example, battery selection, visible indicator pulse rate and ancillary electronic componentry. Pulsing and/or pulse rate is known to increase visibility to the human eye, and therefore, in preferred embodiments is adjusted accordingly.

10 In operation, the pressure sensitive switch **15** is activated by the weight of a mounting herdsmate when mounting activity persists for a preset minimum time period, for example 3 seconds. A count of individual mounts meeting the minimum threshold is recorded on an incremented electronic counter. A preset time threshold for depression of the pressure sensitive switch **15** avoids false counts. At a preset count threshold, an electronic timer
15 begins counting hours and minutes from activation of the pressure sensitive switch **15**, and may round to the nearest hour for a 2-digit display **25**, and a visible indicator **20**, such as LED display, begins pulsing indicating mounting activity. At such time, the device is read by the herdsman using the read data switch **30**, salient data independently recorded and the device reset.

20 In a second preferred embodiment, a plurality of, for example 6, LED displays **20** replace the digital display and single LED. Upon activation based on the same preset threshold, the LED displays pulse. Each LED representing a 2 count and all LEDs pulse for

counts per hours of 12 and above. Thus, as the device records an increased amount of mounting activity, the number of LEDs pulsing increases. By simple observation of the number of LEDs pulsing, it is possible to see the amount of mounting activity recorded and determine appropriate insemination timing.

5 Recordation of salient data may be achieved, for example, manually, via passive RF communication or via infrared port. The device may be fitted with appropriate ports for electronic transfer.

 In this embodiment, upon observation of the pulsing LED or LEDs, the herdsman user approaches the device, and in the first embodiment reads, the digital display before
10 depressing the read data switch to obtain mount and timer information. Depressing the read data switch once, preferably located on the side of the device, displays the mount count from 1-99; depressing the switch a second time to displays the number of hours elapsed since a first qualified mount. Pressing the switch further toggles between the mount count and time displays. Depressing the switch simultaneously with the mount switch resets the mount
15 counter and timer to zero. Alternatively, a time-threshold may be set, for example 3 seconds, after which depression of only the read data switch resets the mount counter and timer.

 Referring back to the first described preferred embodiment, a digital display, preferably 2-digit, is the device profile defining component. The preferred QT MAN4900A display is approximately 0.2 inches tall and has a standard 0.065 PCB thickness. The
20 resulting housing then is approximately 1.50"W x 4.00"L x 0.40-0.45"D. The cover portion of the housing further comprises flexible portions over the switches produced via secondary injection molding techniques. Said flexible portions are preferably constructed of elastomer

material and hermetically sealed. Two-digit digital display is provided by 2, 7 segment LED displays. However, digital display may be achieved by other means, such as liquid crystal or light-emitting diode. The use of LED display is merely representative.

In an alternate preferred embodiment, multiple LEDs are located at one end within one of the two, shorter length vertical surfaces of the device. The use of multiple LEDs facilitates a smaller statured device than that of the first described preferred embodiment. For example, using 6 individual LEDs, the device's measurements are reduced to approximately 1.20"W x 3.00"L x 0.30"D.

The visible indicator or indicators in each of the preferred embodiments are provided by LED displays. In one of the preferred embodiments, a single LED is employed with the digital display. Another embodiment employs 6 individual LED displays in sequence, creating a bar graph row of LED indicators. When activated, the visible displays pulse. A diagnostic function sequence may be programmed for operation confirmation and/or battery level indication employing an alternate pulsing pattern. In yet another preferred embodiment, three LED displays are employed to indicate different time periods during estrus corresponding to suspected heat, confirmed (standing) heat and breeding time, as shown in Figure 10.

The pressure sensitive switch **15** is connected via appropriate circuitry to an internal controller chip **40**, set forth more fully with respect to Figure 2. The electronic portion **13** of the device **5** is hermetically sealed within the housing **10** creating a water-resistant housing. A pressure sensitive switch **15** is activated, at a flash level of approximately 4 mA per flash, for a 0.1 second flash every 1.5 seconds. Based on a 21 day cycle including a confirmation

cycle, the LED 20 flash usage is approximately once every 33 days standing estrus is defined when a cow has 3 standing events in any 4-hour period; fewer standing events are suspected estrus -- quantitative, linear logistic regression.

Figures 8 and 9 schematically set forth preferred circuitry of the preferred device
5 embodiments' printed circuit board (PCB) layouts. Said schematics are illustrative only; any
number of functional PCB layouts may be provided by one skilled in the art. With respect to
the processing and/or analysis of heat mount data for making a determination regarding
breeding time for a subject cow, an onset of estrus is first detected by determining whether a
predetermined threshold was met or occurred. This predetermined threshold related to an
10 onset of estrus based on a predetermined minimum number of heat mounts occurring within a
predetermined time interval. If this predetermined threshold is met, further analysis is
conducted to obtain a peak estrus value that is useful in determining an optimal, or at least
desirable, breeding time. Such a predetermined threshold falls within the range of at least
three heat mounts within about four hours and four heat mounts within at least about three
15 hours. If this predetermined threshold is not met, the subsequent analysis is not performed.
However, when the predetermined threshold is satisfied, further analysis is conducted to
determine a peak estrus value (PEV). In that regard, it has been noted that the distribution of
mounting behavior within estrus, as determined by summing the predetermined threshold,
appears to fit a substantially symmetrical distribution, with peak estrus centrally located at
20 the time of peak mounting behavior. In the preferred embodiment, because such mounting
behavior is symmetrical, the mean mounting behavior is found at the time average of the heat
mounts. If there are N mounts at time $T(i)$, the peak estrus value would occur at a time:

T_{pev}=ET(i)/N. In a preferred embodiment, with it being known that the longest and most significant mounts will occur at peak estrus, when the estrus hormones are expressed at their highest levels, this average can be weighted according to the duration of the mounts. If there are N mount of duration D(i) occurring at times T(i), the peak estrus occurs at time

5 T_{pev}=E[T(i)*D(i)]/ED(i). It is understood from the above discussion that each of the two expressions determines a time value at which peak estrus occurs, and therefore an optimum time to breed, with the second expression weighting the time values by a corresponding duration value. The weighted time value is believed to result in a more accurate representation of peak estrus for the subject animal.

10 It is apparent that the present invention provides a self-contained electronic device for accurate detection of estrus through 24-hour automatic surveillance, thereby reducing labor requirements and increasing production. Furthermore, the instant invention may clearly be practiced in conjunction with any type of non-human animal exhibiting estrus cycle and mounting related behavior. While specific embodiments of the invention have been

15 illustrated and described herein, these should not be construed as limitations on the scope of the invention, but rather an exemplification of the preferred embodiments thereof. Numerous variations are possible and will occur to those skilled in the art. It is therefore to be understood that the appended claims are intended to cover all such modifications and changes as fall within the true spirit and scope of the invention.

20

CLAIMS

1. A self-contained electronic estrus detection device for optimum breeding time calculation comprising:

a housing; and,

5 an electronic means for detecting, processing and indicating mounting activity data, said electronic means consisting essentially of a controller means, a processing means, a power means, an activation means and at least one indicating means mounted within said housing.

10 2. The estrus detection device as defined in claim 1, wherein said electronic means detects mounting activity, actuating the processing means according to preprogrammed thresholds and indicates satisfaction of said thresholds by visible indicator.

15 3. The estrus detection device as defined in claim 2, wherein said controller means includes a microprocessor.

4. The estrus detection device as defined in claim 2, wherein said power means includes at least one battery.

20

5. The estrus detection device as defined in claim 2, wherein said activation means includes a pressure sensitive switch.

6. The estrus detection device as defined in claim 2, wherein said indicating means includes at least one visible display means.

7. The estrus detection device as defined in claim 6, wherein said visible display means includes LED.

8. The estrus detection device as defined in claim 7, wherein said means for indicating suspect estrus, confirmed estrus or optimum time to breed.

9. The estrus detection device as defined in claim 2, wherein unitary housing is hermetically sealed

10. The estrus detection device as defined in claim 2, further comprising a reset means for resetting the processor and/or controller means.

11. A self-contained electronic estrus detection device comprising:
a housing; and,
an electronic means for detecting, processing and indicating mounting activity data,
said electronic means consisting essentially of a controller means, a processing
5 means, a power means, an activation means and at least one indicating means
mounted within said housing;
wherein said electronic means detects mounting activity, actuating the processing
means according to preprogrammed thresholds and indicates satisfaction of said thresholds
by visible indicator.

10

ABSTRACT

An electronic device for detecting estrus that may be affixed to the tail-head area of a cow is described. This device permits the accurate determination of optimal breeding time, natural or artificial, based on mounting activity. The device includes a water resistant housing, within which is contained the electronic portion of the device consisting of a controller means, a power means, an activation means, a read data means, and at least one display means; said device determining and subsequently indicating suspected and confirmed estrus based on an algorithm. The invention may be used, for example, with any non-human animal exhibiting standing heats and/or mounting behavior indicative of an estrus cycle for making mounting data determinations related to the estrus cycle and analyzing such data to determine optimal time to breed.

HeatWatch

Mount Count Design

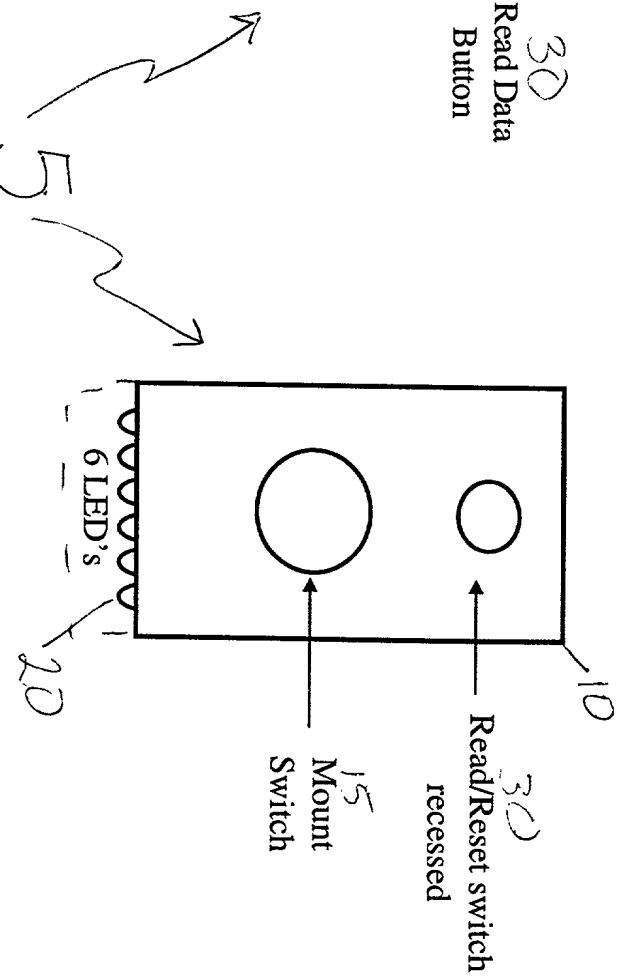
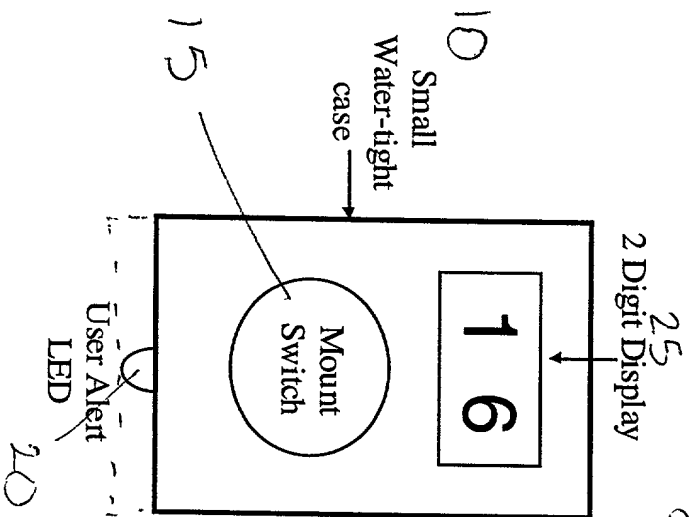
- Two versions are currently being considered
 - 2-digit display version
 - Estimated Parts Costs (1000's):

• \$9

Fig. 1

\$7

Fig. 2



Confidential

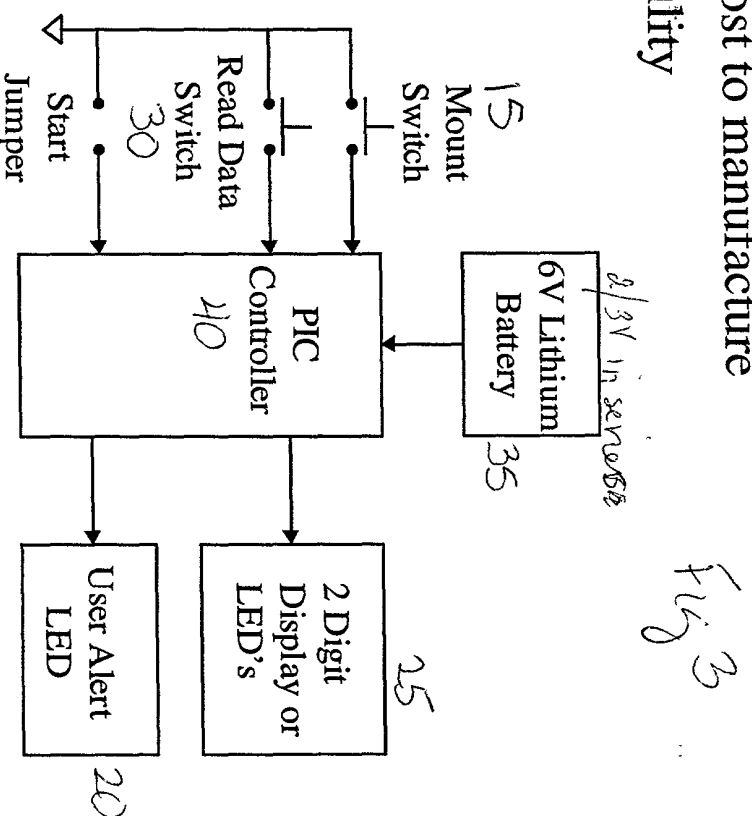
09470416-132209

DDx, Inc.

HeatWatch

Mount Count Block Diagram

- Simple, low parts count design provides:
 - Low cost to manufacture
 - Reliability



Confidential

09470415 422299

DDx, Inc.

Patent Considerations:

The patent issued in January, 1987 (Patent Number 4,635,587) is titled "Method and apparatus for detecting standing heat in cattle." The pertinent claim in this patent is as follows, with the critical parts bolded.

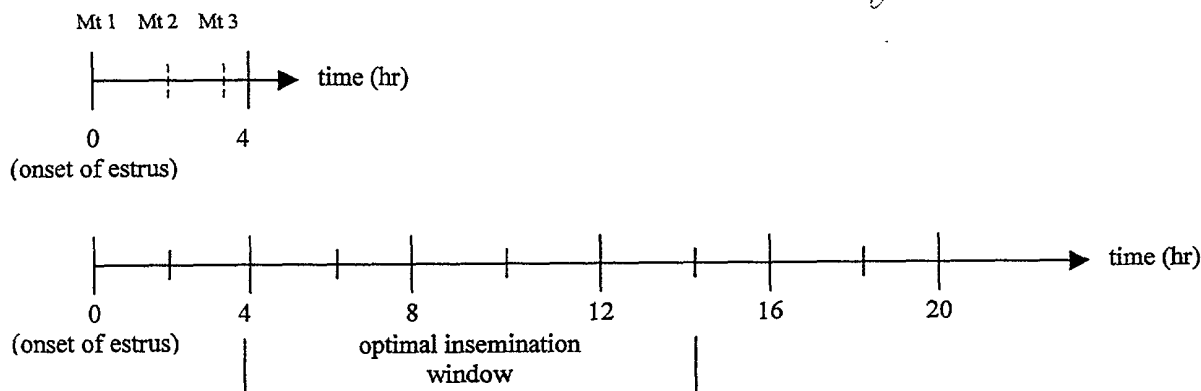
"A self-contained apparatus for detecting the onset of estrus in cattle, including:

a pressure responsive switch disposed to be actuated by mounting of the cow, timer means connected directly to said switch means for activation thereby in count up fashion, digital readout means connected to said timer means and disposed to display the elapsed time after mounting of the cow, audible and visible signaling means connected directly to said timer means to emit a warning signal in response to activation of said timer means, means for securing said pressure responsive switch, said time means, said readout means, and said signaling means together in closely adjacent fashion to the base of the tail of a cow; said means for securing including means for displaying said elapsed time directly from the apparatus secured to the cow, and said means for securing further including means for emitting said audible and visible warning signals directly from the apparatus secured to the cow."

My interpretation of this patent leaves several areas in which the proposed design is not covered.

1. The proposed timing is from **determination** of estrus, not the **onset** of estrus. For example, the patent does not teach about algorithms to determine the actual estrus event, but simply teaches that the first mount indicates the initiation of mounting and starts the timer. With Dr. Nebel's research results in insemination timing, the optimal breeding window is 4-14 hours after onset of estrus. With an algorithm of 3 mounts in 4 hours to determine estrus, this optimal window will not be jeopardized (see Figure 3).

Figure 3. Estrus determination algorithm and optimal insemination timing. *Fig 4*

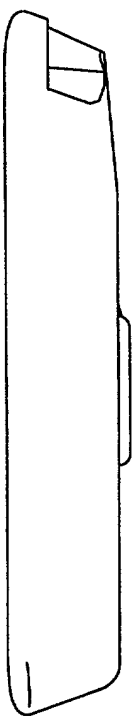
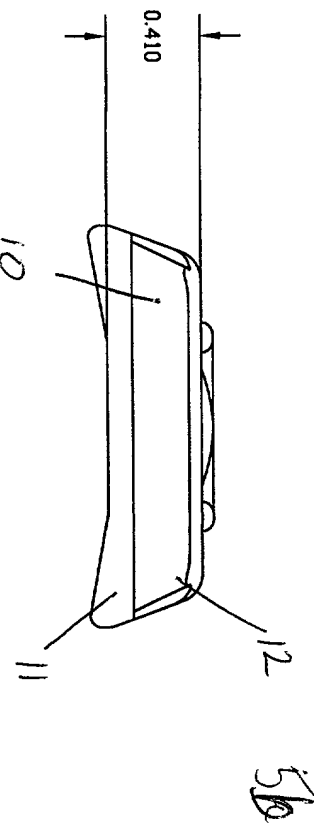
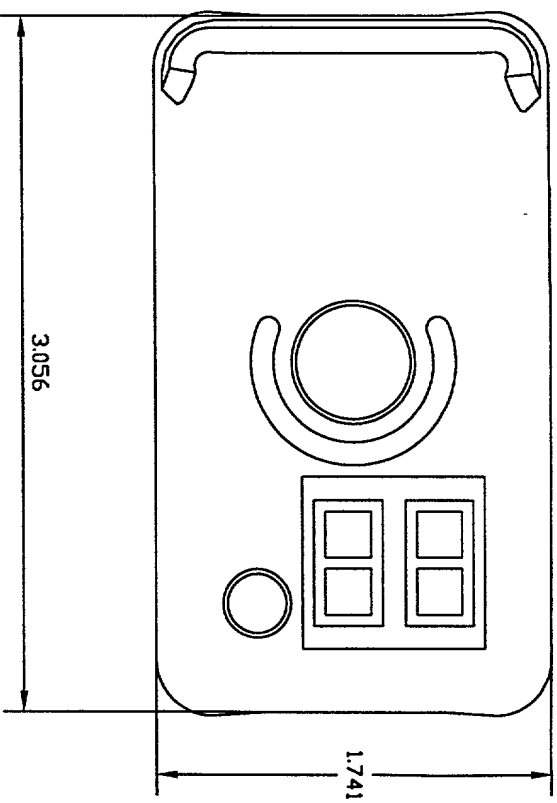
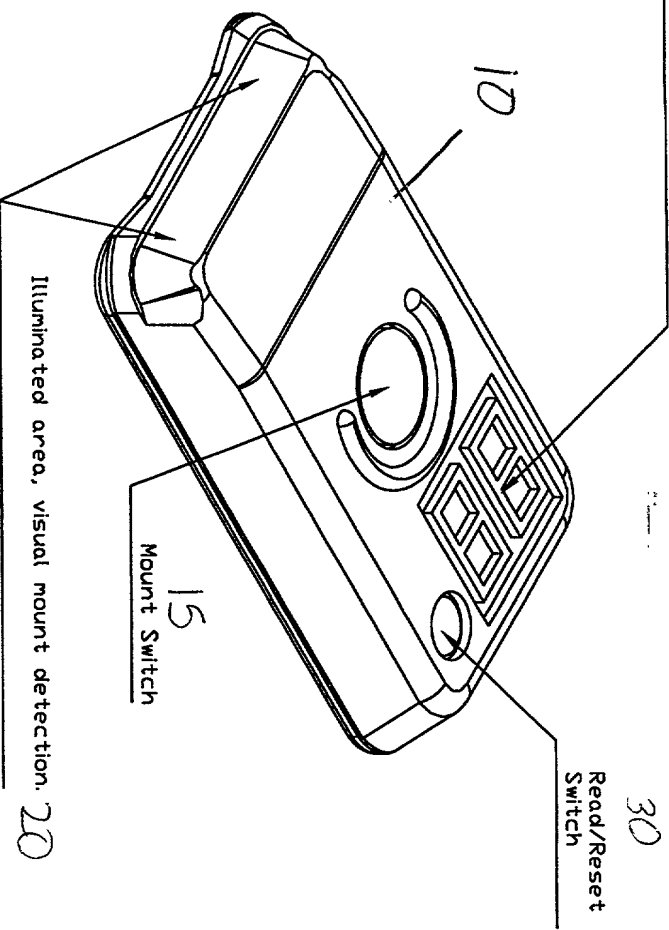


In one extreme case, the 3rd mount in 4 hrs would occur exactly on the 4th hour, i.e., 4 hours following onset. Therefore, the mount counter would indicate the determination of estrus 4 hours after the actual onset. The optimal insemination window would simply change from 4-14 hours following onset to 8-18 hours following **determination**. In the other extreme, the 3rd mount in 4 hrs would occur almost immediately after the 1st and 2nd mounts, making the **determination** of estrus almost coincide with the onset. Therefore, the optimal insemination window would remain at 4-14 hours following determination. Using the union of these extremes, the optimal window for insemination using "determination" would be 8-14 hrs.

2. The proposed algorithm for determining estrus would be x mounts in y hours, thus providing a means for elimination of false, non-estrus related mounts.
3. The proposed design would not only display the time from the determination of estrus, but also the accumulated number of mounts.

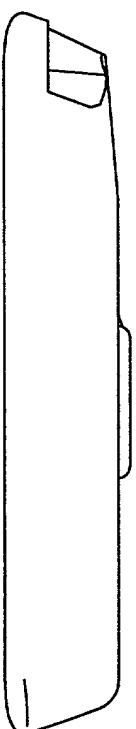
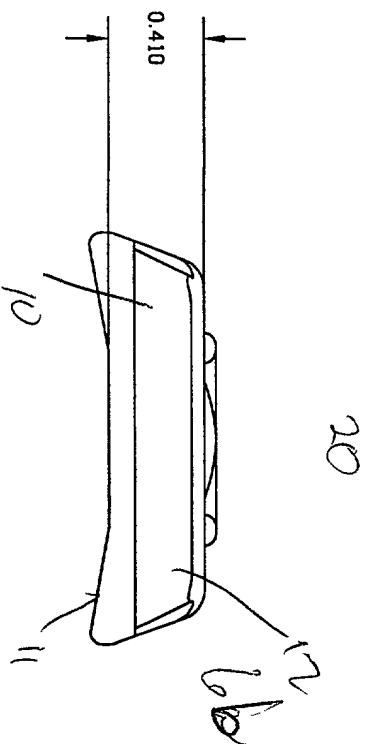
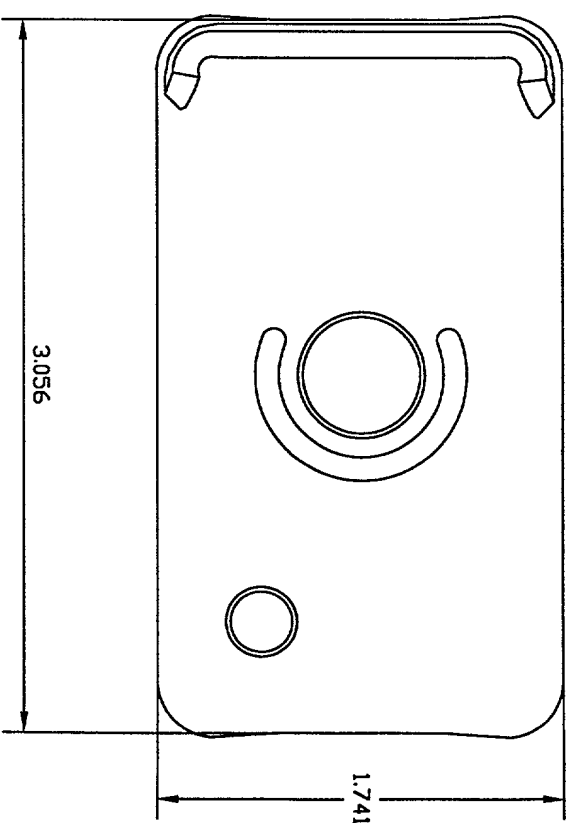
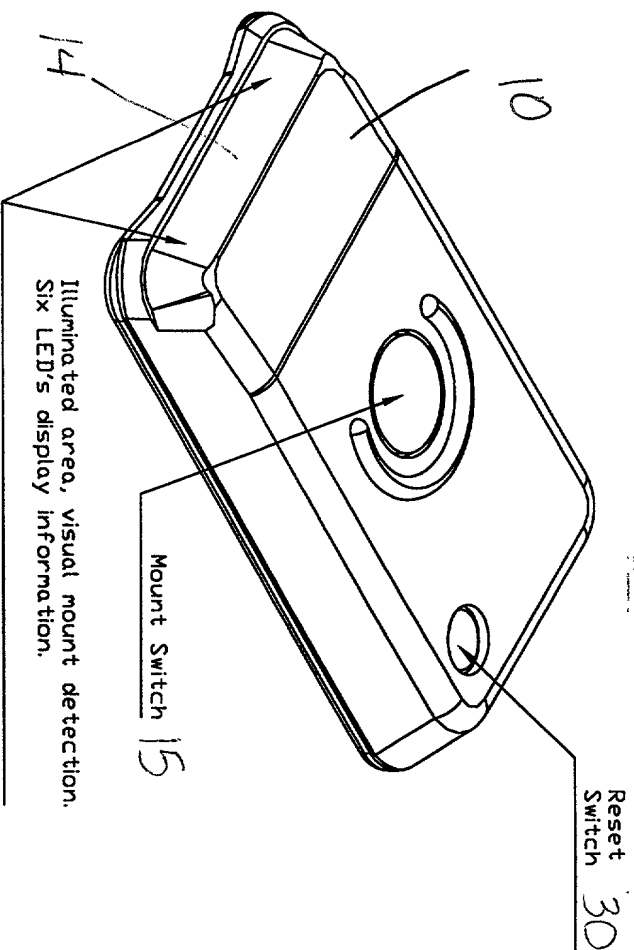
Fig. 1a

25
 Display; Number of mounts.
 Time since estrus detection(Hrs)
 Number of uses left.



Mount Count with Display

Fig 1a



Mount Count w/o Display
Six Information LEDs

Sketch of Top View

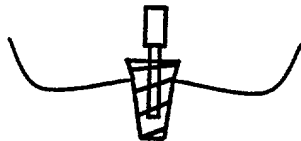
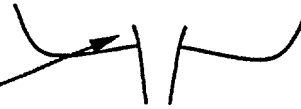
Pin Bones



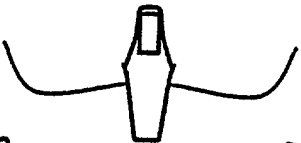
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Tail Head

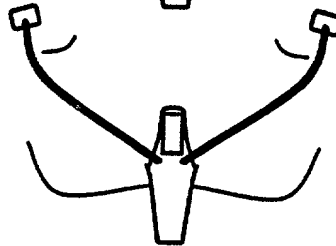


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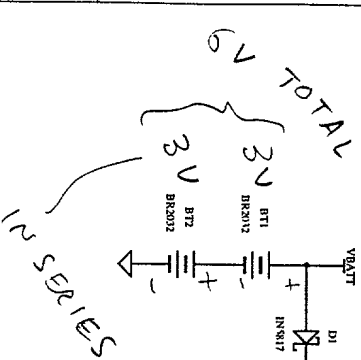


d

SECRET 910240

PRINTED CIRCUIT BOARD

14 V_{CC}



2 PADS SPACED
BY 2" @ 1"'
WHEN SHORTED,
IT CAUSES THE
CONTROLLER TO
SHUT DOWN

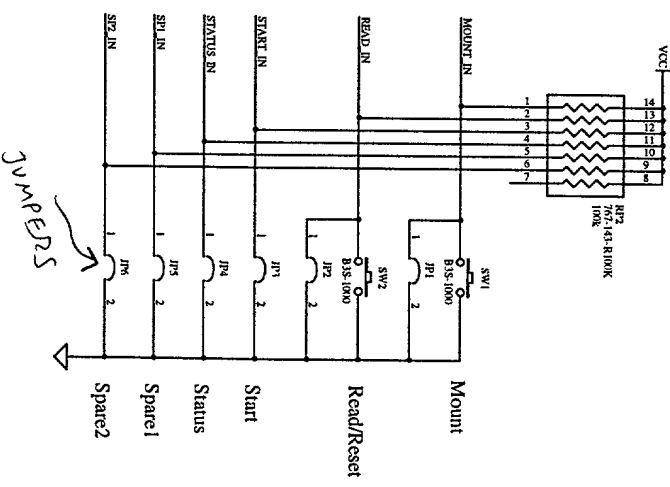
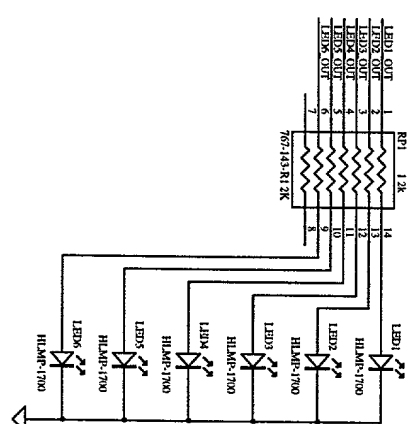
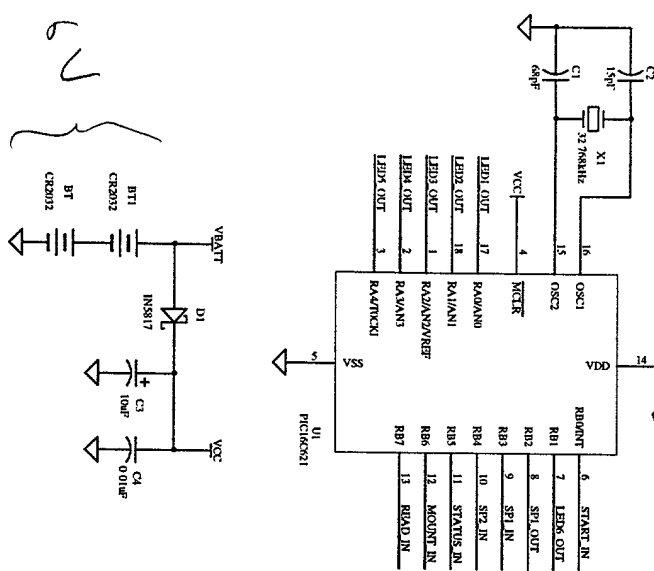
DDx Inc. 7000 North Broadway, Bldg. 3 Suite 305 Denver, CO 80221			
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Dwg. Number: HY98-0015		Design By: Tom Etkens	
File: C:\MYDOC\1-DDDX\HEATVA-1\HEATVA-1\BUTFERMTCOUNT.SCH			
Sheet: B	Date: 15-Dec-1998	Sheet 1 of 1	Rev:

4100

Mount Count 2 Schematic Diagram Rev - For the PCB

controller

LED'S



DDx Inc.		7000 North Broadway, Bldg. 3	
Suite 305		Denver, CO 80221	
Title: Buffer Box II Schematic Diagram		Design By: Tom Eichen	
Dwg. Number: HW98-0015		File: C:\MYDOCU\NDDXHEATVA-1\HEATVA-1\BUFFER\COUNT2.SCH	
Sheet: B	Date: 15-Dec-1998	Sheet 1 of 1	Rev: -

MountCount Operating Instructions

MountCount™ Description and Operating Instructions

Copyright 1999, DDx, Inc

Author: Tom Ebben

Date: 7-28-99

The MountCount™ Unit by DDx, Inc.

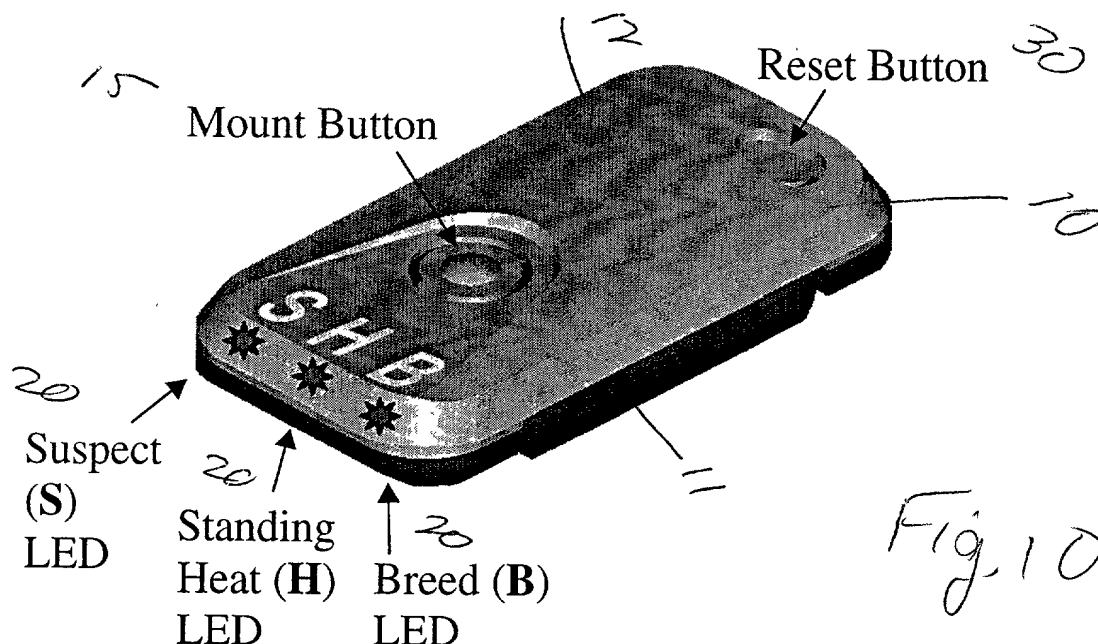


Figure 1. MountCount™ Unit top view

The MountCount™ Unit (MCU) shown in Figure 1 is an electronic device for the purpose of detecting estrus in the bovine species. It provides the user with visual indicators of when the animal is in heat, which substantially improves the chances of successfully breeding the animal. Standing heat in cattle has proven to be one of the most reliable means of determining the onset of the estrus cycle, which accurately predicts when ovulation occurs. Standing heat is defined by standing mounting activity where one animal mounts the tailhead of the animal in heat. The mounting activity is characterized by a substantial and consistent amount of pressure placed on the tailhead for short periods (seconds) of time. The MCU consists of a battery-powered electronic circuit board housed in a watertight case, which is attached to the tailhead of the animal in heat. The mounting activity is detected by a button, which is carefully designed to activate an electronic switch located on the circuit board. A sophisticated microprocessor senses the switch closure every time there is a mount, and performs mathematical computations to determine the state of the estrus cycle. The microprocessor then alerts the user of the estrus state by flashing high-intensity light emitting diodes (LED's) visible through the end of the case. In short, the MCU was designed to make the job of the breeder very easy – they simply need to observe when the Breed LED is flashing to know when to breed the animal.

Docket No.
DDx13

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ELECTRONIC ESTRUS DETECTION DEVICE

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/113,202	22 Dec 98
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

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David B. Kagan 33,406

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Second inventor's signature	Date
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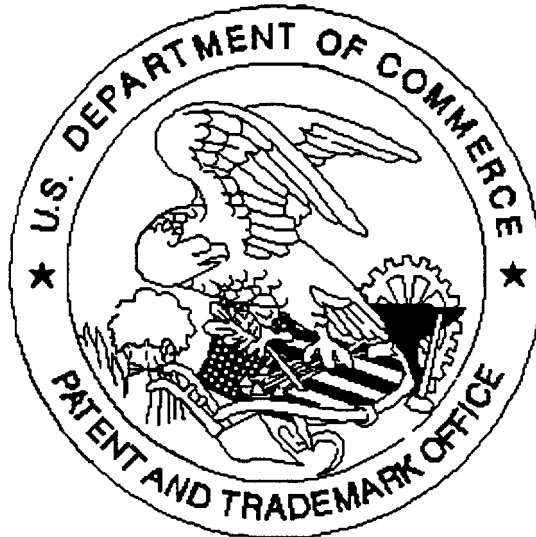
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Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
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